

Note: Additions to the proposed regulation text are shown in *italic* format and deletions are shown in ~~strikethrough~~ format. Underline format was not used to identify additions to the text because some of the unchanged regulation text is in underline format. Title 1 of the California Code of Regulations, Section 8(b) allows agencies to use italic format to identify additions.

California Code of Regulations

Title 22. Social Security

Division 7. Health Planning and Facility Construction

Chapter 9. ~~Hospital Charge Description Master Reporting~~ *Hospital Charges and Fair Pricing Policies Reporting*

Article 1. Hospital Charge Description Master Reporting.

Section 96000. Definitions

For the purposes of this ~~chapter~~ *article*, the following definitions from California Health and Safety Code Section 1339.51 apply:

- (a) "Charge description master" means a uniform schedule of charges represented by the hospital as its gross billed charge for a given service or item, regardless of payer type.
- (b) "Hospital" means a hospital, as defined in subdivision (a), (b), or (f) of California Health and Safety Code Section 1250, that uses a charge description master.
- (c) "Office" means the Office of Statewide Health Planning and Development.

Note: Authority cited: Section 11152, Government Code. Reference: Sections 1339.55 and 1339.56, Health and Safety Code.

Section 96005. Charge Description Master Reporting.

On July 1, 2005, and annually on July 1 thereafter, each hospital shall file with the Office a copy of the hospital's charge description master as of June 1 of the same calendar year in one of the following electronic file formats: Microsoft Excel (.xls) or Comma Separated Value (.csv). Hardcopy documents are not acceptable.

Note: Authority cited: Section 11152, Government Code. Reference: Section 1339.55, Health and Safety Code.

Section 96010. List of Common Outpatient Procedures Reporting.

On July 1, 2006, and annually on July 1 thereafter, each hospital shall file with the Office a list of its average charges for 25 common outpatient procedures as of June 1 of the same calendar year in one of the following electronic file formats: Microsoft Excel (.xls) or Comma Separated Value (.csv). Hardcopy documents are not acceptable.

Note: Authority cited: Section 11152, Government Code. Reference: Section 1339.56, Health and Safety Code.

Section 96015. Estimate of Revenue Increase Reporting.

On July 1, 2006, and annually on July 1 thereafter, each hospital shall file with the Office an estimate of the percentage increase in the hospital's gross revenue due to any price increase for charges for patient services during the 12-month period beginning with the effective date of the previous charge description master filed with the Office . The estimate shall include the estimate calculation and supporting documentation in one of the following electronic file formats: Microsoft Excel (.xls) or Comma Separated Value (.csv). Hardcopy documents are not acceptable.

Note: Authority cited: Section 11152, Government Code. Reference: Section 1339.55, Health and Safety Code.

Section 96020. Methods of Submission.

Each hospital shall submit the documents required by Sections 96005, 96010, and 96015 together as attachments to one e-mail to the Office at chargemaster@oshpd.ca.gov. Alternatively, each hospital may submit the electronic files required by Sections 96005, 96010, and 96015 together on one Compact Disc (CD) by mail to: Office of Statewide Health Planning and Development, Accounting and Reporting Systems Section, 818 K Street, Room 400, Sacramento, CA, 95814. Hardcopy documents are not acceptable.

Note: Authority cited: Section 11152, Government Code. Reference: Sections 1339.55 and 1339.56, Health and Safety Code.

Section 96025. Request for Modifications to Requirements.

To obtain modifications to the requirements specified for electronic file formats, effective date of the documents, submission date of the documents, or methods of submitting electronic files, hospitals shall file written requests for modification with the Office. Hospitals shall have an Office-approved modification prior to implementation of any change to the applicable requirements. Modification requests shall specify the precise changes being requested and the reason(s) the changes are needed. The Office shall either approve or disapprove requests for modification on a case-by-case basis.

Note: Authority cited: Section 11152, Government Code. Reference: Sections 1339.55 and 1339.56, Health and Safety Code.

Article 2. Hospital Fair Pricing Policies Reporting.

Section 96040. Definitions

For the purposes of this article, the following definitions apply:

- (a) "Hospital" means any facility that is required to be licensed under subdivision (a), (b), or (f) of California Health and Safety Code Section 1250, except a facility operated by the State Department of Mental Health or the Department of Corrections.*

(b) "Office" means the Office of Statewide Health Planning and Development.

(c) "Discount payment" means that part of the hospital's charges that a financially qualified patient is expected to pay in accordance with Health and Safety Code Sections 127405 (b) and 127405 (d). That portion of the hospital's charges for which payment is not expected from the patient due to the patient's inability to pay is accounted for and reported as partial charity care.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96041. Hospital Discount Payment and Charity Care Policies Reporting.

Each hospital shall submit a copy of its discount payment policy, charity care policy, eligibility procedures for those policies, review process, and application form for charity care or discount payment programs to the Office. This information is due January 1, 2008, and biennially after. If a hospital makes no significant change to its discount payment policy, charity care policy, eligibility procedures for those policies, review process, or application form for charity care or discounted payment programs previously submitted to the Office, the hospital may notify the Office of the lack of change in accordance with Section 96046 instead of submitting the information. The significance of the change shall be evaluated from the perspective of the anticipated impact on the population intended to benefit from California Health and Safety Code Section 127435.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96042. Electronic Reporting of Hospital Discount Payment and Charity Care Policies, Eligibility Procedures, and Review Process.

Each hospital shall submit its discount payment policy, charity care policy, eligibility procedures for those policies, and review process to the Office as one electronic file in Microsoft Word (.doc). The electronic file must clearly identify the hospital's discount payment policy, charity care policy, eligibility procedures for those policies, and review process in separate, distinct sections of the file. Hardcopy documents are not acceptable.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96043. Electronic Reporting of Hospital Application Form for Charity Care or Discount Payment Programs.

Each hospital shall submit its application form for charity care or discounted payment programs to the Office as one electronic file in one of the following file types: Microsoft Word (.doc), or Portable Document Format (.pdf). Hardcopy documents are not acceptable.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96044. Reporting Significant Changes to Hospital Discount Payment and Charity Care Policies.

Whenever a hospital makes a significant change to its discount payment policy, charity care policy, eligibility procedures for those policies, or review process, the hospital must submit a complete copy of the entire discount payment policy, charity care policy, eligibility procedures for those policies, and review process to the Office in accordance with Sections 96042 and 96046. The significance of the change shall be evaluated from the perspective of the anticipated impact on the population intended to benefit from California Health and Safety Code Section 127435.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96045. Reporting Significant Changes to Hospital Charity Care or Discount Payment Programs Application Forms.

Whenever a hospital makes a significant change to its application form for charity care or discount payment programs, the hospital must submit a complete copy of the entire application form for charity care or discount payment programs to the Office in accordance with Sections 96043 and 96046. The significance of the change shall be evaluated from the perspective of the anticipated impact on the population intended to benefit from California Health and Safety Code Section 127435.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96046. Method of Submission of Fair Pricing Documents and Notifications.

Each hospital shall submit its discount payment policy, charity care policy, eligibility procedures for those policies, review process, and application form for charity care or discount payment programs as electronic files identified in Sections 96042 and 96043 using the Office's internet California Charity Care Collection application located on the Office's web site at: <https://4c.oshpd.ca.gov/>. Hospitals shall use a Microsoft Internet Explorer web browser that supports a secure internet connection utilizing the Secure Hypertext Transfer Protocol (HTTPS or https) and 128-bit cypher strength Secure Socket Layer (SSL) to utilize the Office's internet California Charity Care Collection application.

If there are no significant changes to a hospital's discount payment policy, charity care policy, eligibility procedures for those policies, review process, or application form for charity care or discounted payment programs previously submitted to the Office and the hospital chooses to notify the Office of the lack of changes to the information, the hospital shall use the Office's internet California Charity Care Collection application to notify the Office of the lack of changes.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.

Section 96050. Request for Modifications to Requirements.

To obtain modifications for electronic file types or method of submitting electronic files or notifications, hospitals shall file written requests for modification with the Office. Hospitals shall have an Office-approved modification prior to implementation of any change to the applicable requirements. Modification requests shall specify the precise changes being requested and the reason(s) the changes are needed. The Office shall either approve or disapprove requests for modification on a case-by-case basis.

Note: Authority cited: Section 11152, Government Code. Reference: Section 127435, Health and Safety Code.